

SOUTH CAROLINA PUBLIC SERVICE COMMISSION

STANDING HEARING OFFICER DIRECTIVE

DOCKET NO. [2017-333-T](#) ORDER NO. 2018-23-H

FEBRUARY 22, 2018

Josh Minges
Standing Hearing Officer

DOCKET DESCRIPTION:

Application of Need It Moved? LLC for a Class E (Household Goods) Certification of Public Convenience and Necessity for Operation of Motor Vehicle Carrier

MATTERS UNDER CONSIDERATION:

1. Motion for Deposition of Shipper Witness to Serve as Testimony at Hearing in lieu of Appearance, and
2. Motion to Continue Hearing Date to Schedule Deposition

HEARING EXAMINER ACTION:

1. The Applicant moves for approval to take the deposition of a shipper witness (or witnesses) via telephone or otherwise at any time or place as may be agreed to by the parties and file the deposition or depositions in lieu of pre-filed testimony, and in lieu of attendance at the hearing. Motion granted.

Taking the deposition of shipper witnesses in a Class E Household Goods case has been a common and useful practice in such matters before the Commission. A deposition saves time and the expense of presenting a live shipper witness in hearings, such shipper witness being required in Class E Household Goods cases under 10 S.C. Code Ann. Regs. Section 103-133.1 to show the public convenience and necessity criterion of proof. In this case, the request to take the deposition of a shipper witness or witnesses for subsequent use in the hearing is certainly meritorious under 10 S.C. Code Ann. Regs. 103-834, and therefore the motion is granted. Said deposition may be taken at such time and place as may be agreed upon by the parties. Such witness or witnesses shall testify regarding the question of whether there is a demand for household goods moving services that is not currently being met, and on any other relevant matters as may be agreed upon by the parties. The deposition may take the place of a live shipper witness or witnesses at

the hearing on the request for a Class E Household Goods Certificate. Also, the deposition transcript may be filed in lieu of pre-filed testimony in this Docket.

2. Applicant's request to continue the hearing, seeking more time to schedule the telephone deposition, is granted. A new hearing date will be proposed by the parties once the deposition is scheduled.